



Rivers Alliance of Connecticut

TESTIMONY FOR THE JUDICIARY COMMITTEE
PUBLIC HEARING, APRIL 4, 2011

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To: The Chairmen: Sen. Eric Coleman and Rep. Gerald Fox
And to the Members of the Committee
**RE HB 6557 AAC LIABILITY FOR THE RECREATIONAL
USE OF LANDS**

Rivers Alliance of Connecticut is the statewide, non-profit coalition of river organizations, individuals, and businesses formed to protect and enhance Connecticut's waters by promoting sound water policies, uniting and strengthening the state's many river groups, and educating the public about the importance of water stewardship. Our 450 members include almost all of the state's river and watershed conservation groups, representing many thousand Connecticut residents.

Thank you for this opportunity to comment on this important bill. For several years, Rivers Alliance has received questions from members and others in the public as to risk of lawsuits arising from outdoor activities. People were nervous about supporting river cleanups, shoreline hiking, paddling outings, and so forth. In response we invited Attorney Beth Critton (who is testifying today) to explain how to lower the risk of litigation without sacrificing enjoyment of the countryside. Her presentation was so well-received, and there were so many follow-up questions, that the next year, in April 2010, we and other groups, including American Canoe Association, Appalachian Mountain Club, Connecticut Forest & Park Association, Farmington River Watershed Association, and, Sierra Club, offered a day-long conference on the issue of recreational liability.

The single most urgent conclusion that emerged from that conference, attended by some 150 leaders of outdoor recreation, was that Connecticut state law needs to be amended to provide greater protection to municipalities that provide free access to their open spaces. Note, this was prior to the decision in the MDC case. That shocking case dramatically highlighted the problem that was already discouraging outdoor recreation.

In the present grim economic circumstances, one of the few extra benefits that towns can offer residents is the chance to enjoy the countryside. But if this benefit comes at the price of unique legal liability (not imposed on the state or on individual property owners), then towns and utilities must seriously consider shutting out the public. This Committee has the authority and the expertise to remedy this problem. Please, please do so.

Margaret Miner, Executive Director